

REMARKS

Claims 1 through 49 are pending in the present application. Applicant proposes amending claims 1, 4, 20, 26, 28, 29, 30, 33, 48, and 49 and canceling claims 3, 21, and 32.

Claims 26 and 29 stand objected to for various alleged informalities. Claim 48 stands rejected under 35 U.S.C. § 101 as allegedly being directed to non-statutory subject matter. Claims 1 through 49 stand rejected under 35 U.S.C. § 103(a) as allegedly being obvious in view of the prior art.

Reconsideration of the present application is respectfully requested in view of the above amendments and following remarks.

Telephone Interview

The undersigned wishes to thank Examiner Kumar for granting the telephonic interview of September 27, 2007.

During that interview, the undersigned discussed claim 1 and the pending rejections with the Examiner. The undersigned suggested distinctions between claim 1 and the cited prior art. The proposed remarks submitted herein are consistent with those discussed during the interview.

The Examiner agreed to give further consideration to the pending claims upon submission of a written reply.

Claim Objections

Claims 26 and 29 stand objected to due to alleged informalities. Applicant proposes amending claims 26 and 29 to correct for any alleged informality.

Withdrawal of the objections is respectfully requested.

Rejection Under 35 U.S.C. § 101

Claim 48 stands rejected under 35 U.S.C. § 101 as allegedly being directed to non-statutory subject matter. Claim 48 has been amended to recite a “computer readable storage medium.”

Withdrawal of the rejection under § 101 is respectfully requested.

Rejections Under 35 U.S.C. § 103(a)

Claims 1-11, 19-24, 30-39, 45-47 and 49 stand rejected under 35 U.S.C. § 103(a) as allegedly being unpatentable over US patent publication 2003/0112262 A1 (hereinafter “Adata”) in view of US patent publication 2001/0030850 A1 (hereinafter “Ditzik”). Claims 12-15, 28-29 and 40 stand rejected under 35 U.S.C. § 103(a) as allegedly being unpatentable over Adata in view of Ditzik, and further in view of US patent 6,259,469 B1 (hereinafter “Ejima”). Claims 16-18, 25-27 and 41-44 stand rejected under 35 U.S.C. § 103(a) as allegedly being unpatentable over Adata in view of Ditzik, and further in view of US patent publication 2001/0013890 A1 (hereinafter “Narayanaswami”).

Reconsideration is respectfully requested.

Claim 1 recites:

A user interface mechanism for switching among at least two modes in a media device having a media screen for displaying data relating to media content, modes of operation of the media device including a first mode for interacting with the media device when the media content relates to music and a second mode for interacting with the media content when the media content relates to image content, comprising:

at least one component movable between a first position corresponding to the first mode and a second position corresponding to the second mode, wherein when said at least one component is moved to the first position, the media screen of the media device is substantially shielded from view,

wherein when said at least one component is moved to the first position, a portion of the media screen remains unshielded from view.

In order for a reference or set of references to render the claim obvious, the references must teach the entirety of the recited method including each of the emphasized language. The undersigned respectfully submits that Adata, Ditzik, Ejima, and Narayanaswami do not teach the emphasized claim language and cannot possibly teach or even suggest the entirety of the recited method.

The Adatia Reference

Adatia discloses a media resource manager/player in the form of a user interface control “for a virtual instrument that is being displayed by a computer.” (*See* Abstract, paragraph 0004). The user interface control and virtual instrument run as an application on a computer running an operating system. (*See* paragraph 0028). Thus, in order to interact with the user interface control, the display screen of the computer must be visible.

The Office acknowledges that Adatia does not teach or suggest “at least one component movable between a first position corresponding to the first mode and a second position corresponding to the second mode, wherein when said at least one component is moved to the first position, the media screen of the media device is substantially shielded from view.” We further note that Adatia also does not teach “wherein when said at least one component is moved to the first position, a portion of the media screen remains unshielded from view.”

The Ditzik Reference

Ditzik does not remedy the deficiencies of Adatia. Ditzik discloses computer and communications systems designed for portable and desktop uses. The disclosed systems include a flat panel display device assembly 2, an expandable hinge device 10, and a cover assembly 8, 9, 16. (Ditzik, Abstract, ¶ 0031). Thus, Ditzik discloses a device wherein the display device assembly 2 is visible and unshielded when the cover assembly 8 is open and wherein the display device assembly 2 is not visible and shielded when the cover assembly 8 is closed. But in contradistinction to claim 1, Ditzik does not disclose “wherein when said at least one component is moved to the first position, a portion of the media screen remains unshielded from view.” Indeed, in the device taught by Ditzik, when cover assembly 8 is closed on display device 2, display device 2 is entirely shielded from view. Accordingly, Ditzik also fails to teach the recited language of the claim.

The Ejima Reference

Ejima does not make up for the deficiencies of Adatia and Ditzik. Ejima discloses an electronic camera having a slidable LCD cover 14 which protects LCD 6 when the camera is not in use. But in contradistinction with the recited claim language, Ejima does not disclose

or suggest “wherein when said at least one component is moved to the first position, a portion of the media screen remains unshielded from view.” Indeed, Ejima illustrates and describes the cover 14 in only two positions – open (Fig. 2) for when the camera is being used, and closed (Fig. 3) for when the camera is not being used. Ejima does *not* teach that the LCD remains unshielded from view when cover 14 is closed.

The Narayanaswami Reference

Narayanaswami does not make up for the deficiencies of Adatia, Ditzik, and Ejima. Narayanaswami discloses an attachment apparatus for a handheld computer having a display, which includes an attachment portion for receiving and securing the handheld computer. A camera assembly mounts to the attachment portion for providing images to the handheld computer, and an interface electrically connects the handheld computing device to the camera assembly for transferring the image data to be displayed on the display of the handheld computer. Narayanaswami does not teach or suggest any means for shielding a display.

Therefore, neither Adatia, Ditzik, Ejima, nor Narayanaswami teach or suggest a system “wherein when said at least one component is moved to the first position, a portion of the media screen remains unshielded from view.” Accordingly, none of these cited references alone or in combination teach all of the recited claim language.

Moreover, one skilled in the art would not be motivated to combine Ditzik, Ejima, and/or Narayanaswami with Adatia to arrive at the recited combination. The screen in Adatia’s user interface control is “virtual,” *i.e.*, the user interface control is displayed on a computer display and relies on the computer display to be used and viewed. Adatia’s user interface control ***cannot be used in either video or music mode if the display of the computer on which it is running is covered*** (*e.g.*, the screen of a notebook or PDA is in a closed position). Thus, Adatia’s user interface control would be inoperable for its intended purpose if the suggested combination were made.

Therefore, because the cited references do not teach the recited claim language, and further because there is no motivation to combine the references to form the recited combination, claim 1 is neither anticipated by nor rendered obvious by the references. For similar reasons the remaining independent claims and all dependent claims are neither

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anticipated by nor rendered obvious. Withdrawal of the rejections under 35 U.S.C. §§ 102(a) and 103(a).

CONCLUSION

The undersigned respectfully submits that pending claims are allowable and the application in condition for allowance. A Notice of Allowance is respectfully solicited.

Examiner Kumar is invited to call the undersigned in the event a telephone interview will advance prosecution of this application.

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